

PREFACE

“Successful land use allows private property owners the right to make use of their land as long as it does not conflict with the Growth Policy or other land laws. It also grants a guarantee that land use protects the aesthetics of the Flathead Valley and the spirit of the Growth Policy.”

-Evergreen resident, 12/12/05

PART 1: Enabling Legislation

Section 76-1-601 of Montana Code Annotated establishes a requirement for all county and municipal jurisdictions in the state of Montana, *if requested by the governing body*, to prepare a growth policy. Montana state law also states that, if requested by the governing body, the Planning Board shall prepare the Growth Policy (76-1-106, M.C.A.). The planning board may delegate to staff hired by the governing body the authority to perform “ministerial acts” (76-1-306 M.C.A.) such as drafting a growth policy. The Flathead County Planning Board worked on a growth policy from 2002 until the fall of 2004 when the monthly workload of subdivision and zoning review became too burdensome to continue both efforts. *A vote was made to have planning staff assist with the creation of the growth policy.* Between the fall of 2004 and October 1, 2006 the Flathead County Planning Board worked with planning staff and the advisory “Long Range Planning Task Force” to create the Flathead County Growth Policy (see Appendix B: Public Involvement Summary). *On September 18, 2006, the Flathead County Commissioners passed Resolution #1976 which reiterated their desire to have the Flathead County Planning Board prepare a growth policy, pursuant to Section 76-1-601, M.C.A for adoption by the Board of Commissioners.*

PART 2: Format of the Document

The Flathead County Growth Policy is a document created to provide guidance for growth in Flathead County. The growth policy has no regulatory authority and is instead designed as a conceptual foundation for future land use decisions *similar to the way a state constitution provides a conceptual framework for state laws and is a basis for future regulations.* It is therefore critical that a growth policy be a public document, created by the public who choose to participate in the process, and used to serve the public. Montana law clearly states that a growth policy should be prepared “To ensure the promotion of public health, safety, morals, convenience or order or the general welfare and for the sake of efficiency and economy in the process of community development...” (76-1-106 M.C.A.). However, a delicate balance must be achieved to comply with the requirements of state law and also respect the custom and culture of freedom and private property rights in Flathead County. This document attempts to achieve such a balance.

The Flathead County Growth Policy is divided into eleven chapters. Chapter 1 establishes the most important elements of life in Flathead County that were identified during the public engagement process. The identified elements of the public’s vision are

used to guide the entire document. Chapters 2 through 8 present existing characteristics, projected trends and goals and policies in a format that complies with the topics required by 76-1-601 M.C.A. Chapter 9 outlines an implementation strategy for the reasonable and fair use of the policies and goals set forth in all chapters. Chapter 9 also contains a statement of compliance with state subdivision regulations as required by 76-1-601(3)(h) M.C.A. The purpose, scope and format of neighborhood plans are addressed in Chapter 10. Neighborhood plans are an important tool for local planning at a level of detail that does not appear in the county-wide growth policy. Chapter 11 sets forth goals and policies for successful coordination with other jurisdictions within Flathead County. Detailed appendices documenting the existing characteristics in Flathead County in 2006 and the public involvement process in creating the growth policy follow Chapters 1-11. It is also envisioned that additional elements such as neighborhood plans will be appended as part of the Growth Policy.

All sections are presented in a discussion format that briefly covers the existing characteristics and projected trends. Maps are provided only for illustrative and educational purposes. Maps in the Flathead County Growth Policy should not be interpreted as regulatory. If a more detailed discussion or presentation of data is warranted by the topic, it is found in Appendix A: Baseline Analysis. A summary of public involvement throughout the growth policy process is found in Appendix B: Public Involvement Summary.

Successful preservation of public health, safety, morals, convenience, order, and general welfare and compliance with Chapter 1 guide the goals. The policies are suggestions for reaching the goals. Goals and policies are listed in each chapter that will guide Flathead County towards a safe and healthy future consistent with both the vision of the residents and the rights and freedoms of individuals.

PART 3: History of Land Use and Growth in Flathead County

Complex growth and land use issues have a long and constantly evolving history in Flathead County. In 1855, the Bitterroot Salish, Pend d'Oreille and Kootenai tribes signed the Treaty of Hellgate, ceding 22 million acres of land that included what is now Flathead County to the federal government in exchange for retaining the Flathead Indian Reservation. Soon afterwards, news of gold in British Columbia brought the first permanent settlers to Flathead County where agricultural lands and timber reserves were abundant. Homesteaders were able to acquire property from the federal government in exchange for making the land productive. The Timber and Stone Act of 1878 allowed wealthy individuals and corporations to purchase large amounts of federal land, and the combination of homesteading and purchases from the federal government created what is now approximately 587,431 acres of private property in Flathead County.

The first mapping of the Flathead Valley occurred in the early 1870s. At that time, Montana was not yet a state, but the area that is now the State of Montana had a population of about 2,500. There were very few people living in the Flathead area until the first significant immigration of white settlers to northwest Montana which occurred in 1883, following the

completion of the Northern Pacific Railroad line to Ravalli, north of Missoula. The Flathead and Lewis and Clark Forest Reserves were created in 1897 out of what is now a major portion of Glacier National Park and the Flathead National Forest. The Forest Service, created in 1905, took over the management of these lands from the General Land Office. Glacier National Park was established five years later in 1910. For a complete history of growth in Flathead County in the 20th century, see Appendix A: Baseline Analysis.

The population of Flathead County has grown in every decade but one. In 1900, the population of Flathead County was approximately 9,375 and with the exception of 1920 to 1930, that number has grown throughout the 20th century. Timber, agriculture, manufacturing and tourism have all contributed to growth in Flathead County over the last 100 years, and the Flathead economy continues to grow and diversify in 2006.

All growth historically has had impacts on the local community. The scale and speed of growth determines the impacts that are likely to occur. Some recent impacts of growth are positive, such as jobs, housing and increased property value. Other impacts, such as traffic, delayed emergency response times or incompatible land uses have been seen by residents as negative. Since 2003, when the Flathead County Planning Board first began work on the growth policy, numerous public meetings have been held throughout Flathead County to react to how residents feel about growth. The Flathead County Planning Board, along with the Flathead County Planning and Zoning Office and the Long Range Planning Task Force have used the information gathered at public meetings, as well as hundreds of letters and surveys received between 2003 and October of 2006 (see Appendix B: Public Involvement Summary), to determine the seven primary elements that are most important to the residents of Flathead County.

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